IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 23659 of 2004

Between:

C.Venkat Narayana S/o.Sri Chinna Ganganna
The Dist Manager (H), A.P.State Housing Corp Ltd.,
Chittoor Dist.

..... PETITIONER

AND

1 The A.P.State Housing Corporation Ltd., Managing Director
Urdu Galli, Himayathnagar, Hyderabad.
2 A.P.State Housing Corporation Ltd., Dist Manager
Chittoor Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus, or any other appropriate writ, order or direction, declaring the action of the respondent corporation in not paying consolidated pay on par with the other Attenders by regularizing the service of the petitioner in cadre of the Attenders as illegal and arbitrary and further direct the Respondent Corporation to pay the consolidated pay on par with the other Attenders.

Counsel for the Petitioner: MR.C.RAGHU

Counsel for the Respondents: MR.K.MOHAN RAMI REDDY

The Court made the following:

ORAL ORDER:

Challenging the action of respondents-Corporation in not paying consolidated pay on par with the other Attenders by regularizing the services of the petitioner in the cadre of Attender, the petitioner has filed this writ petition.

The learned counsel for the petitioner has contended that as the petitioner has been working in the 2nd respondent-Corporation since 1987, his case has to be considered in accordance with law and as a matter of fact, the 2nd respondent also recommended the 1st respondent to consider the petitioner's case.

The learned standing counsel for the respondents has contended that the case of the petitioner for consideration in respect of payment of consolidated pay is pending with the 1st respondent as per the proceedings of the District Manager, dated 26.2.2002.

It is not in dispute that the petitioner has been working with the 2nd respondent as Attender since 1987 on daily wages. The petitioner made a representation on 25.12.2000 with a request to sanction consolidated salary. Based on the representation, the District Manager, in his proceedings, dated 26.2.2002, addressed a letter to the 1st respondent for consideration of the petitioner's case for absorption as Watchman-cum-Attender in the regular vacancy and therefore, the 1st respondent has to take appropriate decision in accordance with the rules and regulations of the Corporation.

Having regard to the facts and circumstances of the case, I deem it

appropriate to direct the 1st respondent to consider the case of the petitioner in pursuance of the proceedings of the 2nd respondent in R.C.No.51/98/A, dated 26.2.2002 and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

The writ petition is disposed of in terms of the above direction. In the circumstances of the case, there shall be no order as to costs.

Sd/-A.SUVARNA

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Managing Director, The A.P.State Housing Corporation Ltd., Urdu Galli, Himayathnagar, Hyderabad.
2 The District Manager, A.P.State Housing Corporation Ltd., Chittoor Dist.

3. Two C.D. copies

4. One cc to Mr.K.Mohan Rami Reddy,Advocate (OPUC)

TRk

HIGH COURT

DATED: 21.12.2004

ORDER:

W.P.NO.23659 OF 2004

DISPOSED OF NO COSTS